

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

HAROLD E. BAILEY, TRUSTEE

Plaintiff,

VS.

BAC HOME LOAN SERVICING, L.P.,
THE BANK OF NEW YORK MELLON,
and RECONTRUST COMPANY, N.A.

Defendants.

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Case No. 4:14cv147

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE AND
ORDER OF DISMISSAL**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On March 17, 2014, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that this case be dismissed with prejudice. No objections were timely filed.

On June 19, 2014, Plaintiff filed his Motion to Strike Complaint (Dkt. 6), indicating that he had reached an agreement with Defendants and requesting that the case be dismissed. No response has been filed in opposition.

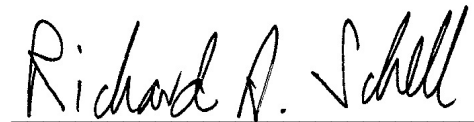
Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court. Further, there being no objection to Plaintiff's request for dismissal and in accordance

with Federal Rule of Civil Procedure 41(a)(2), Plaintiff's motion (Dkt. 10) is GRANTED.

This case is hereby dismissed with prejudice and the matter is closed on the court's docket with each party bearing its own costs.

IT IS SO ORDERED.

SIGNED this the 31st day of March, 2015.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive, flowing style. The first name "Richard" is written with a large, prominent "R". The middle initial "A." is written in a smaller, more compact script. The last name "Schell" is written with a large, sweeping "S" and a long, horizontal tail stroke that extends to the right.

RICHARD A. SCHELL

UNITED STATES DISTRICT JUDGE